

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Masterson et al.

Application No./Patent No.: 10/599,233 Filed/Issue Date: September 22, 2006

Entitled: Optical Mode Noise Averaging Device

Zolo Technologies, Inc. a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

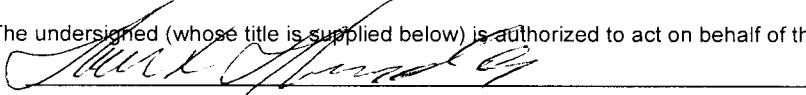
OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

 Additional documents in the chain of title are listed on a supplemental sheet. Copies of assignments or other documents in the chain of title are attached.[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Signature



Date

Henrik Hofvander

303-604-5800

Printed or Typed Name

Telephone Number

President and CEO

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## ASSIGNMENT

WHEREAS, the undersigned inventor(s) (referred to, collectively, if more than one, as "Assignor") have made an invention entitled Optical Mode Noise Averaging Device for which an application for United States Letters Patent was filed on September 22, 2006 as Application Serial No. 10/599,233, and

WHEREAS, **Zolo Technologies, Inc.**, a ("Assignee") having a place of business at **4946 North 63rd Street, Boulder, Colorado 80301**, desires to acquire all right, title and interest in and to the above identified invention and application;

NOW, THEREFORE, Assignor, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby sell, assign, convey and transfer unto Assignee all right, title and interest in and to the above identified invention and application, together with all corresponding foreign applications and patents which may be filed thereon, including the right to claim priority from the above identified United States application; and Assignor hereby agrees that Assignor will sign all lawful papers, including, without limitation, all divisional, continuation, renewal, extension and reissue applications, and make all rightful oaths in execution thereof, and will generally do everything possible to aid Assignee, its successors, assigns and nominees to obtain and enforce proper protection for the invention in all countries, this obligation to be binding upon Assignor (each and severally, if more than one) and upon Assignor's personal representative or other legal successor.

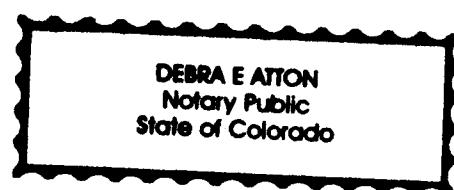
IN TESTIMONY WHEREOF, the undersigned Assignor (and each of them, if more than one) has signed below.

Date: 10/6/06

Address:

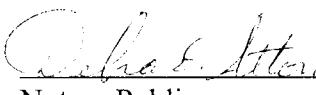
  
Pat Masterson  
325 West Eisenhower Drive  
Louisville, Colorado 80027

STATE OF Colorado)  
COUNTY OF Boulder) ss.



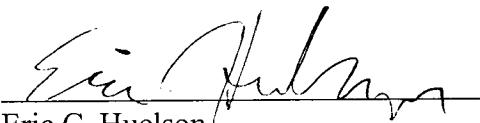
The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of October, 2006,  
by Pat Masterson.

Witness my hand and official seal.  
My commission expires: 9-23-08

  
Debra E. Atton  
Notary Public

Date: 10/5/2006

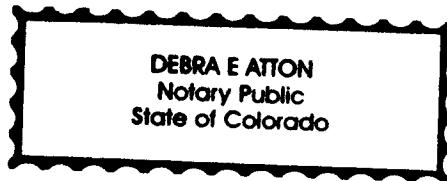
Address:



Eric C. Huelson  
600 Boyd Street  
Golden, Colorado 80403

STATE OF Colorado)  
COUNTY OF Boulder)

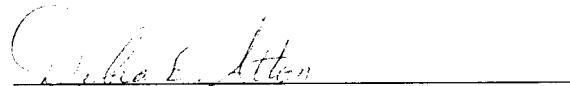
ss.



The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of October, 2006,  
by Eric C. Huelson.

Witness my hand and official seal.

My commission expires: 1/13/08

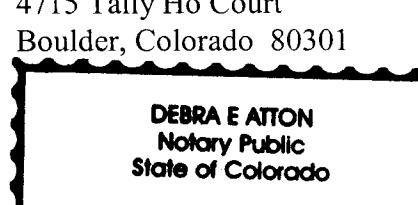
  
Debra E. Atton  
Notary Public

Date: 10/5/2006

Address:

STATE OF Colorado)  
COUNTY OF Boulder)

ss.



The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of October, 2006,  
by Ian S. Smith.

Witness my hand and official seal.

My commission expires: 1/13/08

  
IAN S. SMITH  
Notary Public